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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of  
Amendment of Section 73.622(b),  
Table of Allotments,  
Digital Television Broadcast Stations

(Champaign, Illinois)

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) MM Docket No. 99-289  
) RM-9668  
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To: Chief, Video Services Division

**REPLY COMMENTS OF AMERITECH ST. LOUIS PAGING CORPORATION**

Ameritech St. Louis Paging Corporation ("Ameritech"), by its attorneys and pursuant to Section 1.415 of the Commission's Rules, hereby submits its reply comments in response to the *Notice of Proposed Rulemaking* ("Notice") in the above-captioned rulemaking proceeding. In brief, Ameritech concurs with the interference concerns of several commentors relating to the request of Midwest Television, Inc. ("Midwest"), licensee of Station WCIA(TV), Champaign, Illinois, to change the digital television ("DTV") channel allocated to Station WCIA(TV) from DTV channel 48 to DTV channel 5. The record has established that the proposed channel substitution may cause harmful interference to paging and land mobile control facilities, authorized to Part 90 and Part 22 licensees in the Champaign area. See Comments of Moultrie County Sheriff's Department; Comments of DeWitt County Sheriff's Office; Comments of Macon County Board; Comments of McLeodUSA Telecommunications Services, Inc.; and Comments of Illinois Signal Communications, Inc. Because Ameritech provides paging service to many healthcare professionals and public service agencies in the Champaign area and controls its paging operation with 72 MHz band facilities, Ameritech urges the Mass Media Bureau

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("Bureau") to dismiss Midwest's request or, in the alternative, to grant Midwest's request subject to a condition that Midwest will not interfere with existing 72-75 MHz band paging and land mobile control operations.

Ameritech currently provides paging service to hundreds of customers in Champaign, Illinois and surrounding communities. It provides these services over nearly 1,900 square miles in Vermillion and Champaign counties, through common carrier paging facilities that are licensed under Call Sign KSJ627, with transmitters located in Champaign and Danville, Illinois. The control facilities for these paging operations are licensed under Call Sign KSJ627 and located in Champaign. This control link operates on the frequency 72.66 MHz. As the record in this proceeding demonstrates, Midwest's proposed substitution of DTV Channel 5 for assigned DTV Channel 48 could disrupt the ability of existing licensees to reliably operate 72-75 MHz control links, and such potential interference could disrupt Ameritech's operation of its Central Illinois paging system.

Ameritech's paging customers in the Champaign area include many doctors and healthcare professionals, including major healthcare providers such as the Christy Clinic and the Carle Clinic, and public service agencies such as the Champaign Fire Department, the Champaign County Sheriff's Department, the Champaign County Emergency Services and Disaster Agency, and Champaign County States Attorney. Any disruption of paging service to these individuals and entities would limit their ability to respond in emergency situations, such as fires and medical emergencies, and could threaten the public at large.

Midwest argues that its proposal is technically acceptable because it satisfies the *de minimis* interference standard adopted by the Commission in its *Memorandum Opinion and*

*Order on Reconsideration of the Sixth Report and Order.*<sup>1</sup> In support of its argument, Midwest has provided the Bureau with a technical exhibit from a consulting engineer which purports to demonstrate technical acceptability using engineering criteria set forth in Rule Section 73.623(c).<sup>2</sup> Midwest also argues that “the substitution of DTV Channel 5 for DTV Channel 48 would advance the public interest by enabling Midwest to begin more quickly to operate its digital television station in Champaign.”<sup>3</sup> In this regard, Midwest represents, according to its preliminary evaluations, that it would not have to build a new tower for WCIA’s DTV antenna if it were permitted to operate on DTV Channel 5. Midwest states that “because UHF antennas are heavier and require more wind-loading, Midwest unquestionably would have to construct a new tower if it were to proceed with DTV Channel 48.”<sup>4</sup> Midwest reasons that it will be able to get its DTV station on the air more quickly by avoiding the need to build a new tower, and it would “avoid viewer disruption due to antenna orientation problems.”<sup>5</sup>

Ameritech does not challenge the accuracy or the sufficiency of Midwest’s Technical Exhibit, nor does it challenge the substance of Rule Section 73.623(c). However, Ameritech requests that the Commission consider in its public interest analysis the disruption to vital paging operations that would occur if Midwest’s request were to be granted. While DTV will bring enhanced entertainment to the public, the cost of Midwest avoiding an apparent tower upgrade must be weighed against the safety benefits of paging and land mobile operations, including radio systems operated by Ameritech, and the various commentors (including law enforcement

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<sup>1</sup> Petition for Rulemaking of Midwest Television, Inc. (“*Midwest Petition*”) (filed July 16, 1998) at 2.

<sup>2</sup> Technical exhibit of John Lundin of du Treil, Lundin & Rackley, Inc., *Midwest Petition* at Exhibit A (“Technical Exhibit”).

<sup>3</sup> *Midwest Petition* at 2.

<sup>4</sup> *Id.* at 2-3.

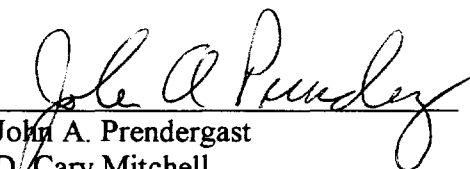
<sup>5</sup> *Id.* at 3.

agencies) that have raised interference concerns. Section 1 of the Communications Act of 1934, as amended (the "Act"), establishes the use of radio for promoting public safety as an overriding purpose of the Commission.<sup>6</sup> In evaluating Midwest's request for channel substitution, Section 309(a) of the Act requires the Commission to consider whether the proposal will serve the public interest, convenience and necessity.<sup>7</sup>

WHEREFORE, good cause being shown, Ameritech respectfully requests that the Bureau dismiss Midwest's request or, in the alternative, grant Midwest's proposal subject to the condition that it does not interfere with 72-75 MHz control operations.

Respectfully Submitted,

By

  
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Dated: November 24, 1999

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<sup>6</sup> Section 1 of the Act [47 U.S.C. § 151].

<sup>7</sup> Section 309(a) of the Act [47 U.S.C. § 309(a)].

## CERTIFICATE OF SERVICE

I, John A. Prendergast, hereby certify that a copy of the foregoing Reply Comments was sent by first class mail, postage prepaid, addressed to the following this 24<sup>th</sup> day of November, 1999:

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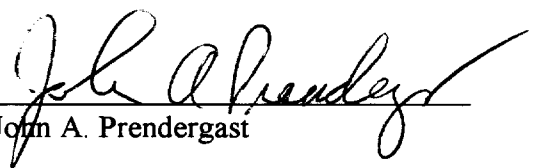
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